

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 2, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-19097 - APPLICANT/OWNER: KRYFAM, LP

THIS ITEM WAS HELD IN ABEYANCE FROM THE APRIL 18, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (4-1/sd-1/rt vote) recommends APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-19098) and Special Use Permit (SUP-19100) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped (01/08/07), except as amended by conditions herein.
4. A Waiver from Title 19.12.040 is hereby approved, to allow a perimeter landscape buffer width of 14 feet for a three foot section where 15 feet is the minimum required.
5. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
6. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
7. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
10. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. A Master Sign Plan shall be submitted for approval of the Centennial Hills Architectural Review Committee—Town Center (CHARC-TC) prior to the issuance of a Certificate of Occupancy for any building on the site and prior to the issuance of any sign permits.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
14. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

15. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
16. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

17. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
18. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
19. Site development to comply with all applicable conditions of approval for Z-76-98, the Ann/Tenaya Commercial Center and all other site-related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a four-story, 50,478 square foot hotel with a waiver to allow a perimeter landscape buffer width of 14 feet for a three foot section where 15 feet is the minimum required on 1.83 acres at the southwest corner of Tenaya Way and Sky Pointe Drive

The proposed hotel is not consistent with the Town Center Development Standards because it is located approximately 80 feet from single family residential where a separation of 330 feet is required, and because a height of four stories is proposed where the Town Center Standards limit the height of a building on this site to two stories.

The proposed development is not compatible with Title 19 as only 74 spaces are provided where 87 spaces are required.

BACKGROUND INFORMATION

| <i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i> | |
|---|--|
| 12/07/98 | The City Council approved a rezoning (Z-76-98) of this site to TC (Towncenter) as part of a larger overall request. |
| 02/22/07 | The Planning Commission recommended approval of companion items VAR-19098, VAR-19447 and SUP-19100 concurrently with this application. The Planning Commission voted 4-1/sd-1/rt to recommend APPROVAL (PC Agenda Item #32/ar). |
| <i>Pre-Application Meeting</i> | |
| 12/12/06 | The applicant was informed that this proposal would require a waiver of the Towncenter standard which requires a minimum 330 foot separation between a hotel and any detached single-family dwelling. |
| <i>Neighborhood Meeting</i> | |
| 02/12/07 | A neighborhood meeting was held at the Cimarron Rose Community Center, located at 5591 North Cimarron Road. |
| <i>Details of Application Request</i> | |
| <i>Site Area</i> | |
| Gross Acres | 1.83 acres |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|----------------------|-------------------|------------------|---------------------------------------|
| Subject Property | Undeveloped | TC (Towncenter) | TC-SC (Towncenter Service Commercial) |
| North | Convenience store | TC (Towncenter) | TC-SC (Towncenter Service Commercial) |
| South | Ann Road | Ann Road | Ann Road |
| East | Convenience store | TC (Towncenter) | TC-SC (Towncenter Service Commercial) |
| West | Tavern | TC (Towncenter) | TC-SC (Towncenter Service Commercial) |

| <i>Special Districts/Zones</i> | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
|--------------------------------|------------|-----------|-------------------|
| Special Area Plan | | | |
| T-C Town Center District | X | | N |

The proposed hotel does not comply with the Towncenter standards because it is located within 330 feet of single family detached development (considered within SUP-19100) and because it proposes a four story structure where two stories is the maximum permitted (considered within VAR-19447).

DEVELOPMENT STANDARDS

Per the Towncenter Development Standards Manual:

| Standard | Required/Allowed | Provided | Compliance |
|----------------------|-------------------------|-----------------|-------------------|
| Min. Lot Size | N/A | 1.83 | Y |
| Min. Lot Width | N/A | 220 Feet | Y |
| Min. Setbacks | | | |
| • Front | 15 Feet | 169 Feet | Y |
| • Side | 10 Feet | 10 Feet | Y |
| • Rear | 20 Feet | 41 Feet | Y |
| Max. Lot Coverage | N/A | 18 % | Y |
| Max. Building Height | Two stories | Four stories | N* |

*This issue will be considered under related Variance VAR-19447.

Per Title 19.08.06, the following standards apply:

| Residential Adjacency Standards | Required/Allowed | Provided | Compliance |
|--|-------------------------|-----------------|-------------------|
| 3:1 proximity slope | 205 Feet | 260 Feet | Y |
| Adjacent development matching setback | 15 Feet | 260 Feet | Y |
| Trash Enclosure | 50 Feet | 440 Feet | Y |

Per the Towncenter Standards, the following standards apply:

| Landscaping and Open Space Standards | | | | |
|---|--------------------------------|--------------|---|-------------------|
| Standards | Required | | Provided | Compliance |
| | Ratio | Trees | | |
| Parking Area | 1 Tree /6 Spaces | 13 Trees | 16 Trees | Y |
| Buffer: Min. Trees | 1 Tree/20 Linear Feet | 6 Trees | 6 Trees | Y |
| Min. Zone Width | 15 Feet along Sky Pointe Drive | | 14 feet for a three foot section; 15 feet along remainder | N* |

This waiver is minor and staff has no objection to its approval.

Pursuant to Title 19.10, the following parking standards apply:

| Parking Requirement | | | | | | | |
|---------------------|-------------------------------------|------------------|-----------|--------------|-----------|--------------|------------|
| Use | Gross Floor Area or Number of Units | Required | | | Provided | | Compliance |
| | | Parking Ratio | Parking | | Parking | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| Hotel | 87 rooms | 1 space per room | 87 spaces | 4 spaces | 74 spaces | 4 spaces | N* |
| TOTAL | | | 87 spaces | 4 spaces | 74 spaces | 4 spaces | |
| Loading Spaces | | | 1 space | | 1 space | | Y |
| Percent Deviation | | | | | 15 % | | |

The parking shortage will be considered concurrently as related Variance VAR-19098. Because there is no hardship associated with this variance, staff is recommending denial.

| Waivers | | |
|---|--------------------|-----------------------------|
| Request | Requirement | Staff Recommendation |
| A perimeter landscape buffer width of 14 feet for a three foot section. | 15 feet | Approval |

ANALYSIS

This site is currently undeveloped. The applicant proposes to develop a four story, 87 room hotel in the south portion of the site. Per the Zoning Code, a hotel of this size requires 87 parking spaces. A total of 74 spaces are provided in a parking lot located north of the hotel. The applicant has submitted a variance (VAR-19098) to address this deficiency. Staff finds there is no hardship associated with the site and is unable to support this variance.

Access to Sky Pointe Drive will be provided by two existing driveways. Landscape buffers that comply with Towncenter standards and include Rio Grande Ash, Chitalpa and assorted five gallon shrubs are provided along the appropriate property lines. Planter islands with 24 inch box Shoestring Acacia are shown within the parking lot. The elevations depict a plaster exterior with a decorative stone veneer accent. A maximum overall building height of 68 feet three inches is shown.

The Special Use Permit conditions for a hotel in the TC-SC (Towncenter-Service Commercial) require a minimum height of three stories. The development standards of the TC-SC district require structures that exceed two stories in height to be located on a parcel that is larger than 20 acres in size, and require the building to be set back at least 50 feet from all property lines. This application meets neither of these criteria and staff recommends denial.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. The proposed development is compatible with adjacent development and development in the area;
2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;
3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;
4. Building and landscape materials are appropriate for the area and for the City;
5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;

6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

In regard to “1”:

Because the proposed use is located approximately 80 feet from single family residential where a separation of 330 feet is required, it is not compatible with development in the area.

In regard to “2”:

The proposed hotel is not consistent with the Town Center Development Standards because it is located approximately 80 feet from single family residential where a separation of 330 feet is required, and because a height of four stories is proposed where the Town Center Standards limit the height of a building on this site to two stories.

The proposed development is not compatible with Title 19 as only 74 spaces are provided where 87 spaces are required.

In regard to “3”:

The proposed use will not adversely impact streets in the vicinity of this site.

In regard to “4”:

The building and landscape materials are compatible with development in this area of the city.

In regard to “5”:

As stated above, the proposed use is located approximately 80 feet from single family residential where a separation of 330 feet is required, and it is not compatible with development in the area.

In regard to “6”:

The proposed development will be subject to regular inspections for permitting and licensing and will therefore, not compromise the public health, safety, and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

13

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 377 by Planning Department

APPROVALS 0

PROTESTS 0